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JAN 29 2004

TECH CENTER 1600/2900

Attorney Docket No. 55793-DIV (48340)

\$ 1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Linda A. Sherman, et al.

EXAMINER: R.B. Schwadron

SERIAL NO.: 09/774,681

GROUP: 1644

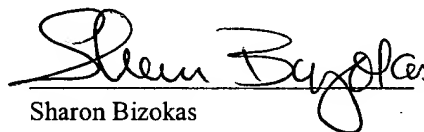
FILED: February 1, 2001

FOR: RECOMBINANT CONSTRUCTS ENCODING T CELL RECEPTORS  
SPECIFIC FOR HUMAN HLA-RESTRICTED TUMOR ANTIGENS

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004.

By:

  
Sharon Bizokas

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

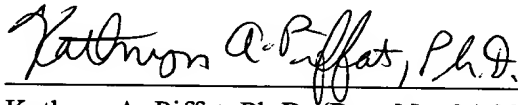
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Amendment Transmittal (4 pages);
2. Supplemental Amendment and Response to Communication (6 pages);
3. Copy of Notice to Comply with Requirements (4 pages);
4. Submission of "Sequence Listing," Computer Readable Copy (5 pages);
5. Paper Copy of Sequence Listing (21 pages) (paginated);
6. Paper Copy of Sequence Listing (21 pages) (unpaginated);
7. Diskette Containing Sequence Listing;
8. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §1.821 - §1.825 (1 page);

9. Statement of Sequence Listing Provider;
10. Transmittal of Formal Drawings (1 page);
11. Ten (10) sheets of Formal Drawing;
12. Check in the amount of \$ 1,005.00 representing the extension of time;
13. This Transmittal Letter (2 pages) (x2); and
14. Return Postcard.

The Commissioner is hereby authorized to charge any excess fees that may be required, or credit any overpayment to Deposit Account No. 04-1105. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)

EDWARDS & ANGELL, LLP

P. O. Box 9169

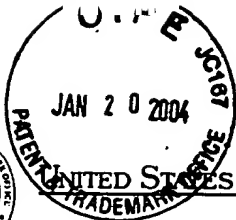
Boston, MA 02209

Tel. (617) 439-4444

Fax (617) 439-4170

Date: January 15, 2004

Customer No. 21874



*PK/RLB*

*53193 DIV*

UNITED STATES PATENT AND TRADEMARK OFFICE

*(48240)*

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

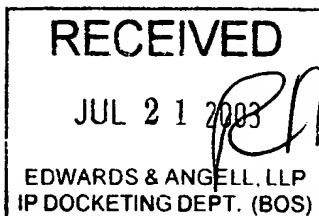
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,681	02/01/2001	Linda A. Sherman	313332000101	3045

21874 7590 07/17/2003

EDWARDS & ANGELL, LLP  
P.O. BOX 9169  
BOSTON, MA 02209

EXAMINER

SCHWADRON, RONALD B



ART UNIT PAPER NUMBER

1644

DATE MAILED: 07/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

*SEQUENCE Listing  
1 model*

Edwards & Angell LLP  
101 Federal St. Boston, MA 02110

Docketed For

By

Approved

*8/3/03 - 8/17/2003*  
*RLB*



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



RECEIVED

JAN 29 2004

TECH CENTER 1600/2900

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application  
Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

**Figure 3D lists a protein sequence. There is a stop codon in between amino acids R and A in the last line of the protein sequence. The sequence listing for said protein (SEQ ID NO:2) includes the last 5 amino acids listed on the last line of Figure 3D. However, said amino acids are not part of said sequence (eg. they occur after a stop codon). A new sequence listing is required deleting said 5 amino acids from SEQ. ID. NO:2 and listing said 5 amino acids as a separate sequence.**

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a

general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.



RONALD B. SCHWADRON  
PRIMARY EXAMINER  
GROUP 1800-1600

Ron Schwadron, Ph.D.  
Art Unit 1644



RECEIVED

JAN 29 2004

TECH CENTER 1600/2900

Application No.: 09/774681

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed communication

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

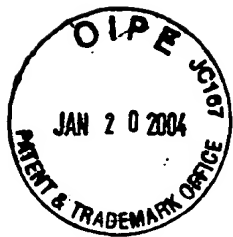
For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



Attorney Docket No. 55793-DIV (48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Linda A. Sherman, et al.

EXAMINER: R.B. Schwadron

SERIAL NO.: 09/774,681

GROUP: 1644

FILED: February 1, 2001

FOR: RECOMBINANT CONSTRUCTS ENCODING T CELL RECEPTORS  
SPECIFIC FOR HUMAN HLA-RESTRICTED TUMOR ANTIGENS

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By: Sharon Bizokas  
Sharon Bizokas

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

Sir:

1. Transmitted herewith is a Request for Reconsideration for this application.

**STATUS**

2. Applicant is  
☒ a small entity.

01/26/2004 LWNDIM1 00000125 09774681

01 FC:2255

1005.00 DP

## EXTENSION OF TERM

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

*NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b), as applicable)*

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$ 1,480.00	\$ 740.00
<input checked="" type="checkbox"/>	five months	\$ 2,010.00	\$ 1,005.00

Fee: \$ 1,005.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee		Rate	Addit. Fee
			\$9.00	\$		\$18.00	\$
Independent Claims			\$42.00	\$		\$84.00	\$
First Presentation of Multiple Dependent Claim+			\$140.00	\$		\$280.00	\$
						<b>Total Addit. Fee</b>	<b>\$</b>

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

*(complete (c) or (d), as applicable)*

(c) ☒ No additional fee for claims is required.

**OR**

(d) ☐ Total additional fee for claims required \$ \_\_\_\_\_.

### FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 1,005.00.  
☐ Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

## FEE DEFICIENCY

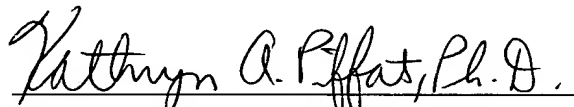
*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

## AND/OR

- ☐ If any additional fee for claims is required, charge Account No. \_\_\_\_\_.

Respectfully submitted,



Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)

EDWARDS & ANGELL, LLP

P. O. Box 9169

Boston, MA 02209

Tel. (617) 439-4444

Fax (617) 439-4170

Date: January 15, 2004

Customer No. 21874

BOS2\_430411.1



Attorney Docket No. 55793-DIV (48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Linda A. Sherman, et al.

EXAMINER: R.B. Schwadron

SERIAL NO.: 09/774,681

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FILED: February 1, 2001

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SPECIFIC FOR HUMAN HLA-RESTRICTED TUMOR ANTIGENS

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004.

By:

Sharon Bizokas  
Sharon Bizokas

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

*(check and complete this item, if applicable)*

1. ☒ This replies to the Office Letter DATED July 17, 2003

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.

☒ A copy of the Office Letter is enclosed.

**IDENTIFICATION OF PERSON MAKING STATEMENT**

2. I, Kathryn A. Piffat, Ph.D.  
*(type or print name of person signing below)*

state the following:

(Submission-Nucleotide and/or Amino Acid Sequence)

### ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

*(check each item as applicable)*

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Application No.: 0 /

Filed:

For:

Group No.:

Examiner:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form

(other application)

"Sequence Identifier"

(this application)

*NOTE: "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference maybe made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. Section 1.821(e).*

- E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).

(Submission-Nucleotide and/or Amino Acid Sequence)

F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

*(complete applicable item A and/or B)*

- A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**STATUS**

5. Applicant is

☒ a small entity.

**EXTENSION OF TERM**

6.

**NOTE:** *"Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec.10, 1985 (1061 O.G. 34-35).*

Attorney Docket No. 55793-DIV (48340)

APPLICANT: Linda A. Sherman, et al.

SERIAL NO.: 09/774,681

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Page 4 of 5

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b) as applicable)*

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00
<input checked="" type="checkbox"/> five months	\$ 2,010.00	\$ 1,005.00

Fee: \$ 1,005.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

**OR**

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**FEE PAYMENT**

8. ☐ Attached is a check in the sum of \$ \_\_\_\_\_.

☐ Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

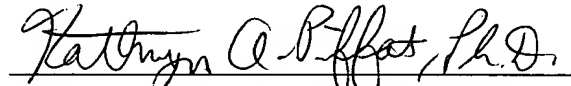
9.

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

10. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

**SIGNATURE(s)**

Respectfully submitted,



Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)

EDWARDS & ANGELL, LLP

P. O. Box 9169

Boston, MA 02209

Tel. (617) 439-4444

Date: January 15, 2004

Customer No. 21874

BOS2\_430492.1



Attorney Docket No. 55793-DIV (48340)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Linda A. Sherman, et al.

Application No.: 09/774,681

Group No.: 1644

Filed: February 1, 2001

Examiner: R.B. Schwadron

For: RECOMBINANT CONSTRUCTS ENCODING T CELL RECEPTORS SPECIFIC FOR  
HUMAN HLA-RESTRICTED TUMOR ANTIGENS

**TRANSMITTAL OF FORMAL DRAWINGS**

Attached please find:

(a) the formal drawing(s) for this application:

Figure 3A  
Figure 3B  
Figure 3C  
Figure 3D  
Figure 6  
Figure 7A  
Figure 7B  
Figure 7C  
Figure 7D  
Figure 8

Number of Sheets: **10**

Respectfully submitted,

Date: January 15, 2004

Kathryn A. Piffat, Ph.D. Reg. No.: 34,901  
Intellectual Property Practice Group of  
Edwards & Angell, LLP  
P.O. Box 9169  
Boston, MA 02209  
617-439-4444

Customer No.: 21,874